

# Thinking Outside the Billiard Ball: Cognatic Nationalism and Performing a Maori Public Sphere

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**Abstract.** Over the course of the twentieth century, the *marae* plaza in New Zealand (a ceremonial courtyard in front of a traditional carved meeting house) has become an arena in which the relationship between Maori and the settler government can be contested, constructed, and legitimized. It thus functions in ways similar to the Habermasian “public sphere,” with the crucial difference that it presupposes a different kind of polity, made up of different kinds of agents.

## Cognatic Nationalism

The remark came out of the blue. “Maybe,” wondered the young Maori man I was with, “after a while, if people keep on marrying each other, then everyone in New Zealand will have some Maori blood, and that’s when we’ll have Maori sovereignty.”<sup>1</sup> Three of us were walking around the back of the dining hall at a *marae* complex in Auckland—the young man whose musings on sovereignty made the moment memorable, the manager of the *marae*, and myself. A *marae* complex is a sort of community center, organized around a traditional carved meeting house and the ceremonial plaza in front of it. I will say something more about both *marae* complexes and meeting houses below, but first let me try to contextualize the comment on sovereignty.

The three of us were on our way to do something at the meeting house, although I do not recall exactly what—we were probably getting mattresses out of the storehouse or some such task that was part of providing hospitality to guests. The remark was an idiosyncratic thought—both the *marae* manager and myself responded with silence at first, and in the end, the

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marae manager could only allow that yes, it was possible. But despite its novelty the logic of the young man's remark was clear to both of us—it was an example of what I am calling here “cognatic nationalism”: if everybody had Maori ancestry of some sort, then by the logic of Maori cognatic (bilateral) kinship reckoning, everybody would *be* Maori, or at least they could legitimately lay claim to (perform) a Maori identity in some contexts. This would make the nation as a whole in some sense “Maori.” Whether this would really be a political panacea or even a partial solution to the political grievances pointed to by “Maori sovereignty” was the question—and it was not a ridiculous question, just one that was difficult to answer.

Sovereignty was on our minds that morning for a reason. It was the early part of 1995, and relations between the government and Maori were more strained than they had been in at least five years. An explosion of protests by Maori activists had forcefully put the term *Maori sovereignty* at the center of the New Zealand political agenda, and its position there was troubling to many, not only *Pakeha* (settlers and their descendants), but Maori as well. I will begin to contextualize the young man's comment by explaining the events leading up to the wave of protests that had recently occurred—and by looking at the colonial history that had set the stage for them. The first section of the essay takes up this historical background, focusing on three things: (1) the 1840 Treaty of Waitangi, (2) the tribunal set up in the 1970s to hear claims against it, and (3) the attempt by the New Zealand government in late 1994 to assert control over the settlement process.

That intermarriage might be a plausible way to address the question of what sovereignty might mean for New Zealand's indigenous minority requires a different sort of contextualization—an explication of what I am calling cognatic nationalism. I use the term partly in jest, but only partly so: while Maori certainly don't use such language, there is a pervasive tendency among them to apply logic derived from the way they reckon kinship to the way they think about the nation and their relation to the settlers who today make up about 85 percent of New Zealand's population. Of course Western nationalisms also sometimes use metaphors of kinship to describe the nation, but the differences seem to me to be of more interest than the similarities. These differences are partly due to differences in the way Maori and Westerners think about kinship, but they are also grounded in specific sets of practices that bring ideas about kinship into relationship with ideas about the nation. I take up this ethnographic and cultural contextualization in the second part of the essay, focusing on rituals of welcome that take place in front of meeting houses—especially on enactments of these rituals in which the government ends up as one of the participants. Through

these, I argue, the marae plaza becomes a kind of “public sphere,” but one of a Maori sort.

In the last part of the essay, I address the significance of all this for a cultural, historical anthropology of the relationship between the local and the global—an anthropology that conceives of them not as locking horns in battle, but as intertwined components of a complex social and symbolic field that is always ultimately local in its historicity and particularity, even as those who operate within it are inevitably engaged with forces, ideas, objects, and persons from other localities. One way of telling the story of what is going on in New Zealand is in terms of what Sahlins (1993, 2000) has called the indigenization of modernity: Maori activism involves people “devising on their own heritage, acting according to their own categories, logics, [and] understandings” (Sahlins 1993: 18). Yet in the process (as Sahlins acknowledges) indigenesness is “modernized.” What is sought by Maori, as by others who have been colonized, is not a return to an unsullied autonomy, but to have their cake and their tradition too. Hence, a distinctively Maori public sphere in which ideas can be expressed and power legitimated or contested; hence also cognatic nationalism and Maori sovereignty, versions of Maoriness that are ineluctably modern, developed as Maori attempted to find ways to be citizens of a nation-state.

### **The Treaty, the Tribunal, and the Fiscal Envelope**

In New Zealand, any talk of sovereignty, Maori or otherwise, eventually comes around to the Treaty of Waitangi. Waitangi, on New Zealand’s northeast coast, was the first center of European presence in the country, the site of the first missions, of a flourishing trade in muskets, flax, and potatoes, and of a busy port at which whalers rested, relaxed, and took on new provisions. In 1840 a treaty was signed there between a representative of Queen Victoria and a number of Maori chiefs, most of them from the surrounding area. The crown representatives then took several copies of the treaty around the country, eventually gaining the signatures of some five hundred chiefs. In 1840, settlement was going to happen, regardless of whether a treaty was signed. At that point, colonization was being organized largely by the New Zealand Company, a private joint stock corporation whose ships were already on the way when the negotiations at Waitangi took place. The treaty in fact reflected a last-minute attempt by the British authorities to assert some control over the nature and shape of colonization. Yet even if it was not the cause of settlement, the treaty did become the primary means: it founded the colonial government and facilitated an influx of people. In its wake most of the major cities in New Zea-

land were established, and the state began the project that was to occupy it for the rest of the century: the effort to prize land from Maori, by hook, crook, cannon, or court. The pressure for land was twofold: settlers needed farmland for the colony to become economically viable, and in the early years of the New Zealand state, the government's main income derived from the resale of Maori land to settlers.

If the framers of the treaty had wanted to craft a document that maximized interpretive possibilities at the expense of ascertainable denotative meaning, they could scarcely have done better than the Treaty of Waitangi. It was prepared in English, mostly by James Busby, the British Resident at the time. This English document was translated into Maori by the missionary Henry Williams, and it was in this form that it was presented to Maori chiefs to sign. Both versions are ambiguous about what was being agreed to, and bringing the versions into conjuncture only complicates matters further—but in ways that contribute to the possible political resonance of the idea of “sovereignty” in New Zealand. In the English version, Maori give “sovereignty” to Queen Victoria in return for her confirming them in “full exclusive and undisturbed possession of their Lands and Estates, Forests, Fisheries, and other properties.” While it is clear that the British could have thought they had made the chiefs into mere property owners, it seems equally clear that Maori might have understood “undisturbed possession” to mean just that—something that did not infringe on the authority of chiefs. A supporter of the treaty, Nopera Panakareo, expressed this view of the import of the words when he famously said, “The shadow of the land is to the Queen, but the substance remains to us” (Orange 1987: 83).<sup>2</sup>

In any case, it is the Maori version of the treaty that has come to be accepted as the “true” treaty, whatever that might mean for a document that is not legally binding.<sup>3</sup> In that version, who gave what to whom is even less clear. In return for giving the Queen the government (*kawana-tanga*) of their lands forever, the chiefs of New Zealand are confirmed in the “unqualified exercise of their chieftainship [*tino rangatiratanga*] over their lands, villages and all their treasures [*taunga*].”<sup>4</sup> Both *kawana-tanga* and *rangatiratanga* were missionary neologisms. *Kawana-tanga* was used to translate *sovereignty*. The word was made by adding the nominalizing suffix *-tanga* to the Maori pronunciation of *governor*. Few Maori would have had experience with “government,” although many might have known that the governor of New South Wales was a powerful figure. Probably the best Maori equivalent to the English idea of sovereignty would have been *mana*, meaning power or authority. However, use of that word was precluded by the fact that no Maori chief would have given up his *mana*. By contrast, the word *rangatiratanga*, which literally means chieftainship, was a word with

more definite associations for Maori: it conveyed to the chiefs some sense that their authority would be maintained under the new situation. Indeed, it had at least two specific past uses that contributed to that interpretation. In the Maori version of the Lord's Prayer (which would likely have been familiar to many who signed the treaty), the words *kia tai mai tou rangatiratanga* are used to translate the English phrase "thy kingdom come." Moreover, in a Declaration of Independence signed by northern chiefs in 1835, *rangatiratanga* was the word used for independence. (The declaration was signed at the urging of the British, partly so that New Zealand-built ships could have a flag to fly.) The word *taunga*—the other thing that Maori get to keep in return for *kawanatanga*—is even more wildly open to interpretation (see Tapsell 1997). Its central meaning is "treasured object," but it can be used to refer to anything that Maori deem valuable. I have heard it used with reference to the Maori language, meeting houses, customs, bone carvings (or any other art object), land, and even an unborn child or a baby.

A consequence of the treaty has been that most of the debate on Maori relationships with the state has been conducted in terms of the meaning of words like *tino rangatiratanga* and *taunga*, and not in terms of sovereignty. This has been so even though a good case can be made that the Maori signatories to the treaty most likely envisioned a New Zealand in which something we would understand as a kind of shared sovereignty held sway. What they probably expected was that Maori chiefs would rule over their own people and territory while the settler governor ruled over his. Efforts to win some sort of autonomy continued well into the history of the colony. As late as the end of the nineteenth century, some Maori were still trying to organize a separate Maori parliament, and many Maori groups organized committees to represent various districts and tribes. The *Komiti* (committees) dealt with disputes and tried to achieve local agreement on issues like land claims in order to forestall the intervention of the government-run Maori Land Court. Maori hoped that these might evolve into a form of local self-rule, but they never did (Belich 1996; Binney et al. 1990; O'Malley 1998). With the growing incorporation of Maori into the wider economy and society in the twentieth century their aspirations for autonomy were increasingly framed in cultural terms: what Maori sought was *biculturalism*, a term popularized in the first decades of the twentieth century.

All of these initiatives were framed in terms of realizing the *rangatiratanga* promised in the treaty. Partly it was simply easier to argue for that which the treaty purported to reserve for Maori rather than that which it ostensibly gave to the Queen, but partly there was a certain appeal to using the Maori word—in the context of the Maori cultural renaissance

that began in the 1960s, an important aspect of rangatiratanga was maintaining a distinctive culture, comprising language, customs, art forms, and bodies of knowledge. The use of a Maori word to describe Maori aspirations helped emphasize the inadequacy of the settler framework to accommodate Maori desires: if what Maori wanted could not even be described in English, it certainly couldn't be achieved wholly within settler forms of life.

As I have said, although settlement was imminent in 1840, treaty or no, the treaty was the vehicle of the settlement that did happen. But despite the importance it had for Maori—its promises secured their initial acquiescence to the wave of immigrants who followed in its wake—the treaty quickly faded from the consciousness of the settlers as the colony became established, especially after it became self-governing in 1852. In 1870 the treaty was declared a legal nullity by New Zealand's highest court, which ruled that British sovereignty in New Zealand rested on Captain James Cook's discovery of what was essentially "empty land" (Hackshaw 1989). Despite this, Maori continued to see the treaty as a sign that their status as owners of the land had once been recognized by the Pakeha. Throughout the nineteenth century and into the twentieth, Maori at various times sought to have the treaty enforced. Several times Maori leaders traveled to England to petition the Queen, and in New Zealand they tried to put whatever pressure they could upon the settler government to recognize and enforce the treaty (Belich 1996; Binney et al. 1990).

The first recognition that the state gave to the treaty in the twentieth century was purely symbolic, but it was nevertheless important: on 6 February 1940, one hundred years after the original signing, the government celebrated a national centennial—no doubt for reasons of its own, but with strong support from some Maori leaders. The celebration took place at Waitangi, on the same grounds as the original event, in front of a meeting house carved (in anticipation of the centennial) as a memorial to the treaty. The celebrations included competitions in "culture" (Maori performing arts) and a government-subsidized regatta of traditional war canoes of a type that had not been built in seventy-five years. While the centennial did not change the legal status of the treaty, it did put it at the center of national origin narratives. "Waitangi Day" became a national holiday—and during the 1970s the celebrations at Waitangi became the focus of demonstrations demanding that the government "Honour the Treaty."

In 1975, Maori pressure finally brought more concrete results: a tribunal was set up by the government to hear claims by any Maori group that felt it had been damaged by actions of the government that were in violation of the treaty. Initially the tribunal was limited to hearing claims regarding events after it was established. As a result, few Maori expected much

to happen under its authority. (Nor, perhaps, did those in Parliament who passed the act establishing it.) Maori interest in the tribunal grew when a Maori was put in charge (in 1981) and when the tribunal began its current practice of hearing claims at a marae complex belonging to the claimant tribe (in 1982). But the real explosion of Maori interest came in 1985, when a Labour government authorized the tribunal to look at claims going back to 1840 when the treaty was signed (Oliver 1991).

With that expansion of its jurisdiction, the tribunal became one of the main foci of Maori hopes, and to date more than seven hundred claims have been filed. The importance of the treaty and the tribunal is twofold: they give Maori hope that some form of redress for the injustices they suffered under colonialism will occur, and they make them feel bound to working toward some sort of accommodation with the settlers. While the tribunal's reports are not binding on the government (except where this has been written specifically into an act of parliament), the tribunal has moral force and the opportunity to forcefully articulate positions. It operates like a fact-finding commission and is able to fund historical and other kinds of research related to claims. The multiple possible interpretations opened up by the wording of the treaty have meant that the tribunal can become a forum for articulating a wide range of grievances and desires. Of course many claims have dealt with the most obvious issues: lost land and resources such as fishing rights. But Maori have also claimed that their language is a taunga under the terms of the treaty and that the government therefore owes a positive duty to support its continued vitality. Along similar lines, Maori have sought support for Maori radio and television stations and for Maori schools.

The tribunal and the treaty are crucial aspects of the context in which the wider cultural renaissance has occurred, and they help link it to what I have called cognatic nationalism. Partly simply by existing, the treaty and the tribunal mean that what is at stake in Maori cultural and political activism is the nature of the relationship between Maori and the state (though, as we shall see, these implications of the treaty are made salient at particular moments, such as marae welcoming rituals, or by particular political rallying cries, such as Maori sovereignty). The diverse range of claims (enumerated previously) connect culture to land rights and political power, and the rulings of the tribunal have allowed the treaty to shape public discourse. Out of the tribunal's deliberations has emerged the idea of New Zealand as a partnership between Maori and Pakeha. While Maori and the government might disagree on exactly what "partnership" entails, the tribunal and the treaty have effectively challenged the idea that Maori (collectively) should be merely citizens of the state, identical to all other citizens.

Which is not to say that the state is in complete agreement with this

idea. The government opened a can of historical worms by allowing the tribunal to investigate past grievances, and it has attempted at various points to put everything back inside and reclose the lid. The most dramatic of these attempts was the debacle that came to be known as the “fiscal envelope.” In 1994, the National Party<sup>5</sup> government made a set of proposals that it hoped would lead to what it called a “full and final”<sup>6</sup> settlement of all treaty claims based on government actions before 1992. Among other things, the proposals called for settling all claims before the year 2000 and for establishing an overall limit (unspecified but rumored to be a billion dollars) on the amount the government would spend on claims. (It was this last clause that caused the whole thing to become nicknamed the “fiscal envelope.”)<sup>7</sup>

Even before the fiscal envelope proposal was floated, things had been tense. The existing tension grew out of earlier treaty settlement negotiations, which had raised fears that some Maori in leadership positions were accepting deals that abrogated the rights of others. In particular, the government had proposed to settle all Maori claims to commercial fishing by buying a large part of Sealord, New Zealand’s biggest fishing concern, and putting it in Maori hands (with the distribution of the profits to be worked out later). Some, especially a loosely affiliated group of younger “radicals,” saw the deal as a sellout, offering posh jobs and flash lifestyles to a few while not addressing the needs of people at the “flax roots.”<sup>8</sup> The splits were complex, pitting not only the relatively anticapitalist against those who sought “Maori development” but also smaller local kinship groups against the larger regional tribes, with whom they had a relationship that is perhaps best described as “subordinate but equal.” Frustration with these treaty settlements led to increased use of the term *Maori sovereignty* as a way of framing Maori aspirations and to a dramatic act of protest: in October 1994 a pine tree planted as a “memorial” to Maori atop One Tree Hill in Auckland was attacked by a young Maori man named Mike Smith. He intended to serve notice that Maori were not quite dead yet and also to recall the anticolonial resistance of his ancestor Hone Heke, who had chopped down a British flagpole in 1845 (Sahlins 1985). Smith’s act was controversial both because it was such a deliberate provocation and because he had no connections to the land in Auckland where the attack took place (some Auckland Maori likened his acts to the raids that another of his ancestors, Hongi Hika, made on the Auckland peoples in the 1820s). But, as usually seemed to be the case, uneasiness with aggressive methods of protest did not stop people from expressing sympathy with protesters’ goals.

Tension became explosion with the release of the fiscal envelope proposals at the end of 1995, and Maori were so overwhelmingly opposed to the proposals (and offended by them) that even those who might normally



have cooler heads were slow to condemn protest. Everything came to a head at the commemoration of the signing of the treaty held on 6 February, 1995. The celebration usually began with a ritual welcome (*powhiri*) for representatives of the government, held at Te Tii, a marae belonging to local people in the Waitangi area. A large group of activists had been at the celebration for two days, meeting to discuss the fiscal envelope and other grievances. Just prior to the planned welcome of the government, the activists headed over to the marae and were themselves welcomed onto it—forcing the prime minister and his party to stand around in the sun. When the *powhiri* for the government did begin, the first speaker for the local elders began by attacking the treaty proposals. The elders then allowed some of the activists to speak on the home people's side. Tensions quickly escalated as one activist trampled on a New Zealand flag and another spat on the ground in front of the governor general. When the prime minister tried to give a speech in response, the plug was pulled on his microphone. Foreign ambassadors walked out of the welcome, and a flag-lowering ceremony, usually held on the ground where the treaty was signed, was canceled because the New Zealand flag had already been lowered and replaced by two Maori flags (Stone 1995). The same period also saw attempts to occupy disputed land and attacks on symbols of Pakeha dominance. A park called Moutoa Gardens, on land that had been disputed for a century, was occupied for several months by Maori seeking to dramatize the need for the government to get serious about settling claims. A statue of nineteenth-century premier John Balance, which stood in the park, lost its head during the protest (Gifford 1995a, 1995b).

For New Zealand, this was serious unrest. And it was this unrest that the young man's remark about sovereignty seemed to address—the protests had created a rift between Maori and settlers, and intermarriage was a traditional Maori way to solve rifts between groups of people because it creates a group of people whose loyalties are mixed in any fight and who thus have a strong interest in preventing one from happening. Whether it would work in this case is a complicated question, dependent first on how you define working. For the moment I want to put the issue aside, although I should perhaps indicate my doubts that intermarriage by itself could do the trick. Instead I want to focus on what is to me the most striking thing about the remark, namely the general implication that intertribal relations are a model for colonial ones. How did that happen? How plausible is it?

### The *Powhiri* and the Public Sphere

In order to talk about how Maori think about their relationship to settlers and the settler state, we will need to know something about meeting houses,

marae, and powhiri. A marae (more properly a marae complex) is a collection of buildings centered on an elaborately carved meeting house and a marae plaza (or marae proper)—the last is a rectangular courtyard in front of the meeting house. The main practical function of a meeting house is as a place for guests to sleep when one group of people visits another. Funerals are the most prototypical reason for such a visit, but any sort of gathering from a christening, to a political meeting, to a professional conference can take place “on the marae.” Any such gathering on a marae—whether the guests are to stay overnight or not—begins with a powhiri, a formal welcoming ceremony at which speeches and songs are exchanged, and hosts and guests exchange breath by touching their noses.

That meeting houses and marae are central to how Maori imagine themselves and their relationship to the state is a function of both the properties of the houses and their history. Although they are closely related to earlier building forms, meeting houses became institutionalized in the second half of the nineteenth century, in response to a crisis centering on the loss of Maori land and a decrease in the ability of chiefs to organize production and exercise leadership. Among the causes of the crisis was the end of warfare: Maori *hapū* (cognatic descent groups) were fluid and sometimes realized only insofar as they were performed in the context of fighting. Meeting houses, which are carved to represent both an ancestor and the genealogy of the descent group, were an alternate way of performing the hapū.<sup>9</sup> The former importance of warfare in constituting the group (and the idea of the house as an alternative) may be reflected in the symbolism of the marae complex and the welcoming ceremony: the marae plaza is associated with Tū, the god of war, while the house is associated with Rongo, who represents peace and sweet potatoes; in the ritual both hosts and guests are represented as war parties, who make the visit possible by declaring their peaceful intentions.

In the wake of the crisis, meeting houses emerged as both sites and emblems of Maori community life. Waves of marae building in the 1870s, 1890s, and 1920s meant that a typical rural community was centered on a marae belonging to the group that held hereditary authority over the land. The carvings, painting, and naming of such a marae referred to the group and amounted to an objectification of it—an objectification that helped secure its continuity in the face of the many challenges that the colonial context presented to the functioning and existence of such a group.

That marae complexes helped to constitute community and a collective identity, in response to colonial threats to these, is part of why marae are crucial to how Maori understand themselves in relation to the state. But their *significance* as a way of thinking about and reacting to colonialism also

derives from their characteristics—they are not *only* about identity, and to the extent that they are about identity they constitute it in specific ways. First, marae assert a relationship to land: this is because they are centered on a piece of land (the marae plaza), because the land is held under a special kind of title that makes it inalienable, and because the Maori word for the local people who play host at a marae is *tangata whenua*, a phrase whose literal translation is “people of the land.” Second, a marae, especially the marae plaza, is a kind of border, or, more precisely, a threshold. Even as it constitutes a group, it does so in relation to other groups—in fact it constitutes them as relatives to other groups, since in the speeches that men make as part of the powhiri (greeting ceremony) they recite genealogy in such a way as to establish kinship ties between the groups they represent.<sup>10</sup> Finally, even when it is being used to bring two *Maori* groups together for a gathering, a marae is a means of mediating difference. The ritual by which the groups are brought together (the powhiri) is mainly a way of taking the *tapu* off the visiting group. Tapu is a kind of dangerous sacredness, necessary to life but inimical to it, associated with the divine and the foreign—most Maori (and Polynesian) ritual involves removing tapu so that the business of everyday life can be carried on (Smith 1974; Gell 1995). The ritual welcome on the marae is explicitly seen as making people “safe” for one another and making the guests into sort of honorary “home people” for the duration of their stay. The role of marae in Maori responses to colonialism is partly an extension of this existing use.

Maori have long approached colonialism and colonizers in ways that draw on the strategies they had previously used for interacting with local others.<sup>11</sup> In the early colonial period a dominant approach was the attempt to establish marriage alliances with individual settlers and settler communities (Belich 1996). Such marriages sought to gain access to the knowledge and power of the settlers while rendering them amenable to Maori influence (if not control). With the institutionalization of the marae in the late nineteenth century, and the concomitant formalization of marae welcoming ritual, Maori also began to stage formal welcomes to visiting representatives of the government. As when Maori stage welcomes for each other, the symbolic work being achieved (or at least attempted) when Maori welcome the government onto a marae is multifaceted. The home people at a marae welcome perform their identity as a community, their mana (power, prestige, and authority), their connection to their land, and their wish to establish a peaceful relationship. At the same time, as in a powhiri held for other Maori, they are trying to “take the tapu off” the government representatives, to make them safe—a process that is not so different from the sort of incorporation of outsiders achieved by marriage alliance.

That Maori had a positive interest in performing such welcomes is demonstrated by a series of incidents involving the Maori King Movement and the British Crown. Founded in the 1850s, the King Movement was an attempt to set up a Maori power of sufficient magnitude to act as a counterpart to the settler government. Although members of the movement proclaimed their loyalty to the British Queen, they were seen as seditious, and in the 1860s the Crown made war on them and confiscated large parts of their land. In the wake of the wars the King Movement withdrew to an area of the central North Island (later known as the “King Country”) that was effectively (though not officially) removed from the Crown’s sovereignty. In 1898 an end to the King Movement’s isolation was marked by a visit of New Zealand Premier Richard Seddon to the king at his settlement. While I do not know the details of the welcome the premier received, Judith Binney reproduces a photograph of the event showing the premier and the king standing in a grassy space while a crowd is seated in the background. The title of the photograph, “After the Speeches,” suggests that something like a modern powhiri had just taken place (Binney 1990: 205). The meeting was part of a series of events by which the King Movement moved from disengagement to dissent—that is, from a position outside the recognized structures of colonial society to one within them (Belich 1996: 264–65). This new position implied a relationship of some sort to the government, which is exactly what would be ritually effected by welcoming its representatives onto a marae.

Despite the reconciliation between the government and the King, relations were still strained, something that was marked in 1920 by the failure of a desired welcome to take place. In that year the Prince of Wales was to visit New Zealand and was to be given a welcome at Roturua, in the territory of the Te Arawa people. To express its loyalty to the Crown, the King Movement invited the prince to be welcomed at Ngaruawahia, the site of a “Parliament House” recently opened as a site for Maori deliberations.<sup>12</sup> Michael King (1977: 107), from whose work I take the incident, described the scene:

As the train carrying the Prince from Auckland to Rotorua was about to pass, [the king] stood on Ngaruawahia Station with a retinue of elders and a karanga party [women who give the call that opens the welcoming ritual]; the Parliament house was stocked with food; hundreds of Kingite supporters milled about the entrance to watch Maori royalty re-establish its links with English Royalty. The train, of course passed straight through. There was not even a pause. And [the King Movement] felt humiliated. Loyalty was demanded of them by the

New Zealand Government, but that same Government denied them the opportunity to express it.

The wound was not healed until 1953, when Elizabeth II and the Duke of Edinburgh visited the marae that was subsequently established at Ngarua-wahia, an event about which a settler newspaper said, “There ended a feud that has lasted a hundred years” (King 1977: 271).

What we see in these cases is that the marae plaza and the powhiri ritual have become an arena in which the relationship between the government and Maori groups can be expressed. But perhaps it would be better to say “performed”—for what is going on here is not simply the marking of a relationship that already exists, but the constitution and negotiation of a relationship that only emerges as it is performed. For that reason, I argue, the powhiri and the marae come to be a kind of Maori “public sphere” in something like (but unlike) the Habermasian sense. Looking at powhiri that have taken place in the context of addressing Treaty of Waitangi claims will make the point clearer and bring us back to the question of how people understand sovereignty and the nation.

Powhiri began to be part of the treaty settlement process when the Waitangi Tribunal began to hold its hearings on marae belonging to the claimant tribes. As I noted earlier, when the tribunal was first established it was viewed with indifference by most Maori—from 1975 to 1982 it heard four claims. By contrast, once the tribunal was empowered to hear “historical” claims—those regarding events before 1975—the claims flooded in, some four hundred having been filed by 1990 (Oliver 1991: 10). But while the willingness to entertain historical claims was a necessary condition of Maori interest in the tribunal (since those were the real grievances), holding hearings on marae was also important. It was the move to marae that persuaded Maori that the government might be sincere in its willingness to work with them. Not only do Maori feel at home on marae and alienated in courtrooms and government buildings, but on the marae, the various moments in the hearing process become tropes for its eventual success, starting with the powhiri, in which the status of Maori as original inhabitants of New Zealand is acknowledged and given contemporary significance. As hosts during the powhiri, the claimants are *tangata whenua* (people of the land).

But *tangata whenua* is also the word Maori use for indigenous people. The distinctive status Maori seek to have acknowledged in general is thus noticed in the ritual. The prerogative of the tangata whenua to have their customs respected is also recognized in the hearing, which draws on Maori ideas of formal procedure as much as those of Western legal systems. The

hearings are held in the carved meeting house, so people take off their shoes before entering, and like many Maori gatherings, they begin and end with a prayer. People who testify may not only do so in Maori if they wish, but follow Maori practices in other respects: when their testimony is finished their family and/or friends support their speech by gathering around them and singing a song. If one of the promises that the treaty holds out to Maori is the possibility that New Zealand will become the bicultural nation it sometimes claims to be, then one of the things being acted out when the government goes about its business in a Maori fashion is a (partial and temporary) realization of that hope.

Further illustrations of what happens when Maori meet the government “on the marae” is provided by a series of marae gatherings held in the wake of the government’s fiscal envelope proposals and the resulting Waitangi Day confrontations. In particular, one held at Hoani Waititi, the marae where I did my fieldwork, demonstrates how much is at stake and in play in the performance of the ritual welcome itself.

The meeting at Hoani Waititi was one of a series held on marae around the country that had been announced when the fiscal envelope proposal was made public. Though they were billed as a form of consultation, Maori saw them rather as a sales pitch—and wondered why the government bothered. Even before protests had exploded at Waitangi, one thousand Maori tribal and pan-tribal leaders from around the country had rejected the proposals unanimously at a meeting held on the marae of the paramount chief of the Tuwharetoa tribe—a man who could hardly be called a radical. Despite this, the government seemed to think (or wished to pretend) that something could be salvaged. The prospective hosts were less than enthusiastic: they did not wish to be seen as endorsing the proposals by offering the government a place from which to “inform” people about them, nor did they wish to see chaos like that at Waitangi on their own marae. Although most Maori were in agreement with the protesters on issue of the fiscal envelope, the fact that the protests had gotten so out of hand that the marae at Waitangi failed to provide even minimal hospitality was seen as a loss of mana (prestige) for the local people. When the ostensible “informational meetings” went ahead it was after behind-the-scenes negotiations between the government, the tribes, and the protesters that seemed to assure that nothing dire would result.

By the time of the meeting at Hoani Waititi a pattern had been set: the representatives of the government were met by protesters when they came on to the marae, they presented the proposals, and the gathering rejected them. There was no violence, nor were there any breaches of the formal hospitality that a marae owed to a distinguished guest. This was pretty much

what happened at Hoani Waititi, but there was an interesting twist. Against the wishes of the government, the marae had decided that there would be only one welcome for both government officials and the several hundred protesters who would be coming to the meeting. Asserting the prerogative of the home people to set the *kawa* (protocol), the marae discounted the government's claims that officials' safety would be at risk if they had to mingle with the protestors.

The result was a tense but revealing moment during the welcome. Coming on to the marae, the government had led the way, while the protesters followed, quietly (since this was a powhiri), but carrying signs attacking the fiscal envelope and other recent government initiatives. The representatives of the government (Justice Minister Doug Graham, a Pakeha, and Te Puni Kokiri<sup>13</sup> head Wira Gardiner, a Maori) sat in the front row of seats on the visitors' side, along with one or two other government officials. Dressed in dark suits and ties, they were easily distinguished from the crowd of protesters who came on to the marae with them. As they sat on the visitor's *pae* (bench) listening to the speeches of welcome given by elders representing the marae, the protesters crowded behind them, holding up their banners. After several elders from the marae had given brief speeches, they passed the floor over to the visitors. Both Graham and Gardiner spoke for the visitors, and then all of the government representatives stood up and moved to the center of the marae to complete the ritual with a *hongi* (a ceremonial touching of noses) with the elders on the side of the home people. As they stood up, one of the protesters, a young man named Arthur Harawira, stood and began to speak in Maori. His family was both active in protest politics and closely affiliated to Hoani Waititi.

It was a decisive moment. The official program was finished—only the representatives of the government had been supposed to speak during the ritual opening (others could have their say on the issues at hand during the forum scheduled for later in the day). The elders on the home people's *pae* had stood up to greet the government representatives, in what normally signaled the end of the ritual. As Harawira began to speak, the government representatives continued forward and completed the *hongi* with the elders of the marae, who then hesitated for a second or two, looked at each other, and silently made their way back to their seats. The welcome continued for another hour, as different young people among the protesters stood to speak, each speech supported by songs from the group as a whole. The government representatives, meanwhile, had to sit in the dining hall, drinking tea and waiting for the meeting they had organized to start.

The elders on the home side had affirmed their solidarity with the youthful protesters, but they had done more than that—the ritual con-

text had provided a frame that gave their action more culturally specific meanings. When Harawira stood to speak as the ceremony was supposed to be ending he violated protocol; in letting him go on the elders chose to let the situation evoke numerous Maori stories in which people affirm their mana by violating protocol but having it go unpunished. Harawira's relative youth, which would normally make him an unsuitable speaker at such an important occasion, contributed to his ability to fulfill this role. It also created the possibility of other readings of the elders' act. Since young people were largely responsible for the disruptions at Waitangi, allowing Harawira to speak implied some measure of support for their actions—especially since the way they were echoed at Hoani Waititi did not show disrespect for the marae. Reading the significance of the event through the youth of the speaker (reading Harawira as a spokesperson for *rangatahi* or youth, which people I talked with did) also evokes (and thus invokes) existing schemas. The role of the young is precisely to be disruptive when that is necessary: as a well-known proverb puts it, “Children’s work is breaking calabashes” (Ryan 1995: 20). Finally, the government’s departure from the scene allowed a moment of solidarity between the marae and the protestors to be enacted when the speeches ended again, and another round of hongi (one-to-one greetings) began.

Mana—pride, prestige, authority, ownership (sovereignty?)—was at the heart of what was at stake generally in the fiscal envelope proposal. The proposals were developed in secret—rumored, denied, and then unveiled as a take-it-or-leave-it offer from government to Maori. There were problems with the offer (some Maori contrasted the government’s approach to the treaty with the way it approached overseas debt), but there were also problems with the way it was proffered. Telling Maori to accept what was offered or go home was seen to trample on their mana and to deny them their status as treaty *partners*. A last-minute show of consultation that involved summoning several likely-to-be-friendly Maori leaders to the capital compounded the problem—assuming that their leaders were at the beck and call of government was a further insult. Even more disturbing was the underlying attitude towards the treaty that Maori sensed. In the government’s rush to settle claims before the year 2000, Maori discerned not an urgency to right wrongs, but a desire to be done with the treaty. But from the Maori point of view the treaty was not a contract, which could be forgotten once it was fulfilled, but a quasiconstitutional covenant, establishing a relationship that was always open to rethinking and renegotiation.

In the end, the meeting at Hoani Waititi and the others like it neither changed Maori minds nor erupted in violence. The proposals were quietly dropped, and tribunal hearings and treaty negotiations continued, though



with less optimism than was present in the early 1990s. But the process of going through the meetings seemed to settle things down, in ways that I think owed as much to the welcoming rituals held on the marae plaza as they did to anything said or done later in the day, at the discussions that were supposedly the main event. In performing the ritual the government ended up performing the respect to the people of the land that it had failed to demonstrate in the settlement proposals and the way they were developed and presented to Maori. The ritual didn't make the differences between Maori and the government disappear, but it did bring them into some sort of relationship—which, as I have noted, is what the ritual is about.

Why does it matter? Why is the respect that the state sometimes pays to Maori custom not a mere palliative? The answer I offer, as I have already hinted, is based on the suggestion that the marae plaza has become a kind of public sphere, in a way that changes the way the nation itself is understood. Let me develop that idea.

### Maori and the State

Jürgen Habermas's theory of the public sphere is at once descriptive and prescriptive: an analysis of European politics in the eighteenth century and a claim about what makes democratic government legitimate (Calhoun 1992; Habermas 1989). Beginning in the eighteenth century, he argues, institutions, ranging from coffeehouses to newspapers to universities, provided a forum where people could discuss the political issues of the day, arriving at the "general will" (Rousseau 1984 [1755]) by a process of reasoned argument. Such a public sphere creates a new force in politics, "public opinion," distinguished from "mere opinion" by the existence of conditions of argument conducive to the exercise of "undistorted reason." It is the existence of such a public sphere that links the formal democracy of elections and representative government to a more substantive democracy in which the ideas and interests of all are given weight—conferring legitimacy on a government whose actions are so determined. While an important part of Habermas's argument is about how economic transformations in the nineteenth and twentieth centuries undermined the conditions necessary for the existence of such a public sphere, Habermas sees the legitimacy that contemporary democracies possess as being derived from the ways they approximate such an ideal. Further, his normative recommendations are designed to bring a more perfect public sphere into existence.

What we saw in the discussion of New Zealand politics was that the

relationship between Maori and the state was being worked out “on the marae,” in the ritual welcomes that take place on the marae plaza and in gatherings that have been initiated by such a joining of the two parties. It is for this reason that I describe the marae as a Maori public sphere. It is important to note that the welcomes are not merely the commemoration of agreements and relationships worked out elsewhere: the cumulative effect of the powhiri in the meetings following the fiscal envelope crisis restored the relationship between the parties in a way that was not possible in any other medium; holding Waitangi tribunal hearings on marae transformed the hearings; and (as the welcome for the government and the protesters at Hoani Waititi showed) much can be in play during the ritual itself. But the real sense in which the marae is a Maori public sphere is that it is there that the legitimacy of the settler state’s *kawanatanga* (governance) over Maori has been and continues to be fashioned. And not only from a Maori point of view: Justice Minister Doug Graham, one of the architects of the fiscal envelope proposals, talked of “tears on all sides” at the subsequent meetings on marae (Lean 1999), and said that the meetings were essential for any possible reconciliation (Graham 1998).

What is the significance of this alternate Maori public sphere? Let me put aside (for this essay) the obvious questions about whether a Habermasian public sphere ever existed, whether it was truly accessible by all, and what the differences between formal and actual access might be (but see Daniel 1996; and Negt and Kluge 1993, whose work Daniel discusses). Let me put aside even the more basic question of what “undistorted” communication could possibly mean, and ask instead about the cosmological underpinnings of Habermas’s scheme. What, for him, does the broad social world consist of? The answer, plainly put, is that it is made up of independent agents who talk, argue, and negotiate. They have legitimate interests as citizens (public people), and less legitimate (private) ones as members of more specific groups. The cosmology is not Habermas’s—in its essentials, it is exactly that described in the sociogenic mythological narratives that began to be produced in the Enlightenment, stories, such as those written by Hobbes, Locke, and Rousseau, rooting society in a contract.

And what of Maori? Of what elements is their social universe made? Not to put too fine a point on it, Maori cosmological narratives envision a world made up of relatives who fight and marry. Peoples’ social potency derives from *mana*, a combination of power, prestige, authority and pride that they both inherit from their ancestors and achieve by their acts, but which they also need confirmed by those who stand facing them across the marae plaza. Like that presumed by Habermas, this Maori cosmological scheme is both represented in mythological narratives (Schrempf 1992)

and embodied in institutions, especially in the powhiri ritual and the meeting house.

As the marae has emerged, over the past century, as a privileged space for Maori and the government to address one another, this Maori cosmology has become authorized as being relevant for thinking about political relations in the modern nation-state of New Zealand. In other words, thinking about the colonial encounter in terms of kinship, and especially the form of such thinking that I am calling “cognatic nationalism,” is plausible in part because marae are one of the contexts in which thinking about colonialism and the nation takes place. Of course, New Zealand, being a normal Western democracy, has a public sphere of the more normal Western sort, in which Maori participate and in which these same issues are debated. But a crucial difference between the Maori public sphere and the more usual one is that the marae not only allows but requires the existence of different kinds of agents, such as tribes, chiefs, and (most important) “people of the land.” By meeting Maori on the marae—participating in the Maori public sphere—the government ends up recognizing such agents and accepting the implications of their existence. This happens whenever the government negotiates with a “tribe,” but is also reflected in a position taken by Doug Graham, the justice minister who participated in all those post-fiscal envelope meetings: Maori, he argued, have some distinct legal rights by virtue of being Maori (*Christchurch Press* 1997).

Two final points, one about public spheres in general, the other about the emergence of this one. First, it is important to be clear that in talking about the marae as a Maori public sphere I am *not* talking about a functional equivalent to the Western public sphere, in the way that “tribal law” and “Western law” are imagined as meeting the need to organize some preexisting realm of dispute resolution. The idea of a public sphere, and the whole question of what constitutes legitimate government, or legitimate public opinion—these seem peculiar to representative democracies. The idea is not that the marae is (and always was) the Maori equivalent to our coffeehouses and newspapers, but that in response to living in a representative democracy Maori developed an institutional sphere in which they could express the things they wanted to express—could formulate their relationship to the government in ways that reflected their own understanding of who they were and the universe they lived in. The second point is that the process by which the marae emerged as a public sphere has something to tell us about the sorts of “politics of recognition” described by Elizabeth Povinelli (2002). Rather than operating only as a kind of “interpellation” (Althusser 1971) in which the state constrains indigenous identity by recognizing only certain forms of it, recognition can work in multiple directions.

In the case of the marae, the state comes to be constructed by the ways in which Maori recognize *it*—something that Kaplan and Kelly (1994) have argued is always one of the dynamics that occurs when colonial governments try to actually rule.

So if people kept on marrying each other and everyone in New Zealand had some Maori blood, would there be Maori sovereignty? It still is not a question I can answer, but I can say something about what lies behind it. Posed in the wake of the conflict surrounding the fiscal envelope, the question reflects anxiety about sovereignty and whether it allows a space for peaceful coexistence. The solution offered is a totalizing one, imagining the erasure of conflict. In the wake of the same crisis, a book appeared that collected a number of short essays and interviews in which prominent Maori figures gave their opinions on Maori sovereignty—what it might be and what its implications for New Zealand were (Melbourne 1995). Their solutions were mostly more pragmatic than intermarriage: many emphasized that Maori sovereignty was really another way of talking about the tino rangatiratanga promised in the treaty (and thus achievable within the framework of a single government). Others pointed to economic self-sufficiency and the persistence of the tribes, and almost all saw fit to mention that nothing else mattered if the culture was not preserved. What the young man's utopian solution and the more pragmatic ones had in common was that they were grounded in the marae as Maori public sphere: dissolving difference into kinship is what ritual welcomes explicitly achieve, although in fact they do so only temporarily, not once and for all. But things like the authority of chiefs (tino rangatiratanga) and the importance of tribes are also marked by the ceremony. Even economic power is addressed in the ritual (and thus in the Maori public sphere) since the ability to host a gathering is both conventionally and in fact a sign of riches. Finally, the simple fact that the government is participating in the ceremony at all is a huge concession to the continued importance of Maori custom.

The anxiety produced by Maori sovereignty (in both the young man I quote and in the settler public generally) reflects the indivisibility of sovereignty as the term is understood in Western discourse—the idea that nations (or cultures) are like billiard balls, capable of interacting but not interpenetrating (Wolf 1982: 6). In the cognatic universe implied by the marae, where identity is presumptively performative and contextual, the contradiction eases, and the anxiety is less palpable—hence, perhaps, the leap by the man I quote to the most extreme implication of such a universe, namely, the possibility that conflict can disappear without the dissolution of either party. In real life, what the marae suggests is that conflict can be managed, that the parties can interpenetrate but maintain their reality and their distinc-

tiveness, that identity is at once real and a point of view. Put in those terms the marae might offer some lessons for the way anthropologists think about culture and globalization, but elucidating that is probably another essay.

### Epilogue: Secret Negotiations

While I was writing this, the 2002 version of the Waitangi Day celebrations took place, and again the marae plaza was a site where Maori and the government were working out their relationship. Like all local matters, this one is difficult to summarize, but, briefly: after a spectacular conflict on Te Tii Marae at Waitangi in 1998 the current prime minister, Helen Clark, had stayed away from the celebrations entirely for several years. Clark had tried to assert her right, as prime minister, to speak on the marae even though women do not do so in that part of the country. She had been shouted down and reduced to tears by a local woman, Titewhai Harawira (the mother of Arthur Harawira, whose role in the fiscal envelope meeting was discussed earlier). At first the prime minister planned to compromise by attending a commemoration of the treaty signing held at a government-owned meeting house near Te Tii Marae, but it quickly became clear that this would only highlight both the snub to the local people and Clark's lack of standing with them. Hence, a week before the event, a newspaper story told of "secret negotiations" to allow Clark to return to Te Tii with some sort of assurance that there would be no trouble (*Wellington Dominion* 2002a). When the visit did take place, it involved the prime minister being escorted onto the marae by her old adversary Harawira—a kind of reversal that is common in a marae context (*Wellington Dominion* 2002b). What lesson? Perhaps that sovereignty—Maori or settler—is a collaborative effort.

### Notes

- 1 I was not recording this and did not get a chance to write it down until later in the day—so despite the quotation marks, this is only an approximation of what the young man said.
- 2 The words became famous because a year later, dismayed by changes in conditions around the Bay of Islands, Panakareo reversed his opinion, predicting that only the shadow of the land would remain with Maori in the end.
- 3 According to generally accepted principles of international law, when one party has knowledge of both languages and has done the translation into the other party's language, it is the latter's language that counts, since only the former was in a position to know the difference between the two versions (Kingsbury 1989).
- 4 The text of the treaty is taken from the appendix of a collection of articles about the treaty edited by Sir Hugh Kawharu. The appendix has three versions of the treaty: (1) the official English version, (2) the official Maori version, and

- (3) Kawharu's translation of the Maori back into English. It is the last that I quote from in discussing the Maori version, and it is I who supply the actual Maori words used (Kawharu 1989).
- 5 The National Party is the more conservative of what had been New Zealand's two main parties for the last century. The other main party is the Labour Party. Since 1995 New Zealand has adopted a new system of voting, involving proportional representation, which has allowed several minor parties to play important roles in government. It is too early to know what effect proportional representation will have on Maori, but it seems likely to enhance their influence on the whole.
  - 6 Hirini Mead (Ngāti Awa) responded that the government's proposals were more of a "final solution" than a full and final settlement (Gifford 1995c).
  - 7 Other clauses included restrictions on the use in settlements of land under the authority of the Department of Conservation, attempts by the Crown to limit what sort of groups could make claims, and vague statements proclaiming general principles the Crown thought should underlie any settlements, such as the idea that the Crown has the duty to act in the interests of "all New Zealanders" and should not "create further injustices" in the attempt to remedy old ones (Office of Treaty Settlements 1994: 6–7).
  - 8 The Maori leaders who formulated the deal were referred to as the "Brown Table," a play on the name of an extreme free-market fundamentalist policy advisory group called the Business Roundtable.
  - 9 This argument is elaborated in my doctoral dissertation (Rosenblatt 2003), but it draws on the work of a number of other scholars. Jeffrey Sissons (1998) has also discussed the emergence of the meeting house in terms similar to those I use, although his argument about the causes and meanings of the house's development differs somewhat from mine. The nature of the hapū has vexed many writers, but recent works agree in emphasizing its fluidity and performativity (Ballara 1998; Schwimmer 1990; Sissons 1988; Webster 1998). The replacement of war canoes by houses as the primary embodiment of the prestige and power (mana) of a tribe has been described by Roger Neich (1993), who also analyzes the symbolism of some nineteenth-century houses in relation to the context in which they were built.
  - 10 It is almost always possible to establish a relationship between different Maori groups, both in theory (because the entire universe descends from Rangi the sky-father and Papatuanuku the earth-mother) and in practice, because all Maori trace their ancestry back to a limited number of ancestors who came to New Zealand by canoe—the descendants of these ancestors have intermarried to such an extent that it is generally possible to find a connection between the ancestor of one group and those of another. Note that the intertwining of the descendants of the various canoes is a precedent for the idea that two groups of people can become related over time.
  - 11 I suspect this is something that is often—perhaps generally—true of situations of colonial contact. I am not the first to notice this, though I think the fact that ideas of foreigners and distinctions between "inside" and "outside" precede Western colonial expansion is underthematized. Here is Edvard Hviding (1996: 85): "To understand the contemporary sociopolitical processes through which Marovo people deal with the outside world requires an examination of how previous Marovo generations have handled 'other people,' a diverse category

that is in the Marovo language termed *hokiti tinoni* (different, other people).” Danilyn Rutherford (1996: 600–601) has made a similar point regarding Biak in Eastern Indonesia.

- 12 The King Movement was unhappy with a welcome in Te Arawa territory for a number of reasons. A traditional rivalry was exacerbated by Te Arawa having fought with the government (and against the King Movement) in the wars of the 1860s. Antagonism was also present over participation in the First World War. Maori members of the settler parliament, eager to prove their loyalty and valor to the Crown, had promoted enlistment in the New Zealand Army. Faced with disproportionately high participation (and losses) among Te Arawa (along with some other tribes), combined with very low rates of enlistment in King Movement areas, these Maori had backed an attempt at conscription that had led to mass arrests among King Movement followers.
- 13 This is a government department made up mostly of Maori that acts to advise the rest of the government on policy affecting Maori and that serves as a liaison between the government and Maori.

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